



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

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2019 APR -2 PM 1:25

SENSITIVE

April 2, 2019

MEMORANDUM

TO: The Commission

THROUGH: Alec Palmer *AP by MAH*
Staff Director

FROM: Patricia C. Orrock *PCO*
Chief Compliance Officer

Debbie Chacona *DC*
Assistant Staff Director
Reports Analysis Division

BY: *KDR* Kristin D. Roser/Ben Holly *BH*
Reports Analysis Division
Compliance Branch

SUBJECT: Reason To Believe Recommendation – 2018 Year-End Report for the
Administrative Fine Program

Attached is a list of political committees and their treasurers who failed to file the 2018 Year-End Report in accordance with 52 U.S.C. § 30104(a). The Year-End Report was due on January 31, 2019.

The committees listed in the attached RTB Circulation Report either failed to file the report, filed the report no more than thirty (30) days after the due date (considered a late filed report), or filed the report more than thirty (30) days after the due date (considered a non-filed report). In accordance with the schedule of civil money penalties for reports at 11 C.F.R. 111.43, these committees should be assessed the civil money penalties highlighted on the attached circulation report.

In order to determine the level of activity for unauthorized quarterly filers that filed a Year-End Report and were required to but failed to file the 30 Day Post-General Report, the Reports Analysis Division (RAD) used the following procedures and criteria:

- Every Year-End Report (YE) submitted by an unauthorized quarterly filer that covered the period from October 1, 2018 through December 31, 2018 (92 days) was reviewed for activity which would have required the filing of a 30 Day Post-General Report (30G). If our research indicated that a 30G was required, we utilized a three-step method to arrive at the activity on which to base the YE fine amount. First, we took the sum of all itemized receipts and disbursements that should have been disclosed on a YE that covered the period from November 27, 2018 through December 31, 2018 (35 days). Second, if the committee had any unitemized activity, a per diem level of this activity was calculated by multiplying the total amount of unitemized activity on the report by 38.04% (35 days (correct YE Filing Period)/92 days (submitted YE Filing Period)). Third, we took the sum of the amounts calculated in steps one and two to arrive at the level of activity assigned to the YE.

Recommendation

1. Find reason to believe that the political committees and their treasurers, in their official capacity, listed on the RTB Circulation Report violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalties would be the amounts indicated on the RTB Circulation Report.
2. Send the appropriate letters.

4/2/2019 11:28 AM

Federal Election Commission
Reason to Believe Circulation Report
2018 YEAR-END Not Election Sensitive 01/31/2019 H_S_P_UNAUTH

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
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3664	C00324780	AMERICAN ACADEMY OF EMERGENCY MEDICINE POLITICAL ACTION COMMITTEE AAEM PAC		WILLIAM T. DURKIN, JR.	\$120,048	0	2/6/2019	8	\$10,921	\$182
3665	C00658757	AMERICANS SUPPORTING VETERANS PAC		MARK SLY	\$695,765	0	3/29/2019	57 (Not Filed*)	\$119,609	\$6,541
3667	C00216184	ANESTHESIA SERVICE MEDICAL GROUP ADVOCACY FUND		C. APRIL BOLING	\$117,891	0	2/11/2019	11	\$3,423	\$101

3677	C00518922	COMMITTEE TO ELECT RON VARASTEH	RON VARASTEH	MASHA MACURDA	\$504,325	0		Not Filed	\$56,036 (est)	\$3,925
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AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
3887	C00870892	FRIENDS OF DAVID WERTIME	DAVID WERTIME	RICHARD WERTIME	\$250,085	0	2/25/2019	25	\$2,488	\$185

3680	C00658744	GEORGE FRANKLIN FOR CONGRESS	GEORGE FRANKLIN	HEATHER RICKETTS	\$1,887,482	0		Not Filed	\$337,496 (est)	\$11,627
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3707	C00661181	SAM DEEN FOR CONGRESS	SAM ALAN DEEN,	TERI LYNN PRUITT	\$159,928	0		Not Filed	\$31,985 (est)	\$1,230
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AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
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3718	C00433672	TRANSYSTEMS CORPORATION PAC		PAUL J. MALIR	\$140,196	0	2/22/2019	22	\$12,591	\$278
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* The committee filed their report more than thirty (30) days after the due date; therefore, the report is considered not filed.

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Reason To Believe Recommendation - 2018)
Year-End Report for the Administrative)
Fine Program:)

AMERICAN ACADEMY OF) AF# 3664
EMERGENCY MEDICINE POLITICAL)
ACTION COMMITTEE AAEM PAC, and)
DR. WILLIAM T DURKIN, JR as)
treasurer;)
AMERICANS SUPPORTING VETERANS) AF# 3665
PAC, and SLY, MARK as treasurer;)

ANESTHESIA SERVICE MEDICAL) AF# 3667
GROUP ADVOCACY FUND, and C)
APRIL BOLING as treasurer;)

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COMMITTEE TO ELECT RON) AF# 3677
VARASTEH, and MACURDA, MASHA as)
treasurer;)

FRIENDS OF DAVID WERTIME, and) AF# 3687
WERTIME, RICHARD as treasurer;)

GEORGE FRANKLIN FOR CONGRESS,) AF# 3690
and RICKETTS, HEATHER as treasurer;)

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SAM DEEN FOR CONGRESS, and
PRUITT, TERI LYNN as treasurer;

) AF# 3707
)

TRANSYSTEMS CORPORATION PAC,) AF# 3718
and PAUL J MALIR as treasurer;)

CERTIFICATION

I, Laura E. Sinram, Deputy Secretary of the Federal Election Commission, do hereby certify that on April 05, 2019 the Commission took the following actions on the Reason To Believe Recommendation - 2018 Year-End Report for the Administrative Fine Program as recommended in the Reports Analysis Division's Memorandum dated April 02, 2019, on the following committees:

AF#3664 Decided by a vote of 4-0 to: (1) find reason to believe that AMERICAN ACADEMY OF EMERGENCY MEDICINE POLITICAL ACTION COMMITTEE AAEM PAC, and DR. WILLIAM T DURKIN, JR in his official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3665 Decided by a vote of 4-0 to: (1) find reason to believe that AMERICANS SUPPORTING VETERANS PAC, and SLY, MARK in his official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3667 Decided by a vote of 4-0 to: (1) find reason to believe that ANESTHESIA SERVICE MEDICAL GROUP ADVOCACY FUND, and C APRIL BOLING in her official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#3677 Decided by a vote of 4-0 to: (1) find reason to believe that COMMITTEE TO ELECT RON VARASTEY, and MACURDA, MASHA in her official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate

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letter. Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3687 Decided by a vote of 4-0 to: (1) find reason to believe that FRIENDS OF DAVID WERTIME, and WERTIME, RICHARD in his official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3690 Decided by a vote of 4-0 to: (1) find reason to believe that GEORGE FRANKLIN FOR CONGRESS, and RICKETTS, HEATHER in her official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#3707 Decided by a vote of 4-0 to: (1) find reason to believe that SAM DEEN FOR CONGRESS, and PRUITT, TERI LYNN in her official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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April 5, 2019

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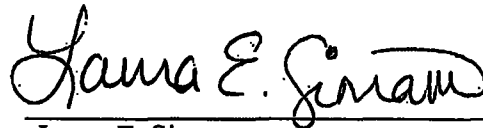
1800NNN400

AF#3718 Decided by a vote of 4-0 to: (1) find reason to believe that TRANSYSTEMS CORPORATION PAC, and PAUL J MALIR in his official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

4/5/19

Date



Laura E. Sinram

Deputy Secretary of the Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 8, 2019

Paul J. Malir, in official capacity as Treasurer
Transystems Corporation PAC
2400 Pershing, Suite 400
Kansas City, MO 64108

C00433672
AF#: 3718

Dear Mr. Malir:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file a Year-End Report of Receipts and Disbursements every calendar year. This report, covering the period November 27, 2018 through December 31, 2018, shall be filed no later than January 31, 2019. 52 U.S.C. § 30104(a). Records at the Federal Election Commission ("FEC") indicate that this report was filed on February 22, 2019, 22 days late.

The Act permits the FEC to impose civil money penalties for violations of the reporting requirements of 52 U.S.C. § 30104(a). 52 U.S.C. § 30109g(a)(4). On April 5, 2019, the FEC found that there is reason to believe ("RTB") that Transystems Corporation PAC and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) by failing to file timely this report on or before January 31, 2019. Based on the FEC's schedules of civil money penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$278. Please see the attached copy of the Commission's administrative fine regulations at 11 CFR §§ 111.30-111.55. Attachment 1. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. See <https://www.fec.gov/af/pay.shtml> 11 CFR § 111.34. Your payment of \$278 is due within forty (40) days of the finding, or by May 15, 2019, and is based on these factors:

Election Sensitivity of Report: Not Election Sensitive
Level of Activity: \$12,591
Number of Days Late: 22
Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

1. If You Choose to Challenge the RTB Finding and/or Civil Money Penalty

If you should decide to challenge the RTB finding and/or calculated civil money penalty, you must submit a written response to the FEC's Office of Administrative Review, 1050 First

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Street, NE, Washington, DC 20002. Your response must include the AF# (found at the top of page 1 under your committee's identification number) and be received within forty (40) days of the Commission's RTB finding, or May 15, 2019. 11 CFR § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty, and must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 CFR § 111.36(c).

The FEC will only consider challenges that are based on at least one of three grounds: (1) a factual error in the RTB finding; (2) miscalculation of the calculated civil money penalty by the FEC; or (3) your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. 11 CFR § 111.35(b). In order for a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. *Id.* Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) a failure of Commission computers or Commission-provided software despite your seeking technical assistance from Commission personnel and resources; (2) a widespread disruption of information transmissions over the Internet that is not caused by a failure of the Commission's or your computer systems or Internet service provider; and (3) severe weather or other disaster-related incident. 11 CFR § 111.35(c). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) negligence; (2) delays caused by vendors or contractors; (3) treasurer and staff illness, inexperience or unavailability; (4) committee computer, software, or Internet service provider failures; (5) failure to know filing dates; and (6) failure to use filing software properly. 11 CFR § 111.35(d).

The "failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver" of your right to present such argument in a petition to the U.S. District Court under 52 U.S.C. § 30109. 11 CFR § 111.38.

If you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

2. If You Choose Not to Pay the Civil Money Penalty and Not to Submit a Challenge

If you do not pay the calculated civil money penalty and do not submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that Transystems Corporation PAC and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701 *et seq.* The FEC may take any and all appropriate action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 CFR § 111.51(a)(2).

3. If You Choose to Pay the Civil Money Penalty

If you should decide to pay the calculated civil money penalty, follow the payment instructions on page 4 of this letter. Upon receipt of your payment, the FEC will send you a final determination letter.

NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS

4. Partial Payments

If you make a payment in an amount less than the calculated civil money penalty, the amount of your partial payment will be credited towards the full civil money penalty that the Commission assesses upon making a final determination.

5. Settlement Offers

Any offer to settle or compromise a debt owed to the Commission, including a payment in an amount less than the calculated civil money penalty assessed or any restrictive endorsements contained on your check or money order or proposed in correspondence transmitted with your check or money order, will be rejected. Acceptance and deposit or cashing of such a restricted payment does not constitute acceptance of the settlement offer. Payments containing restrictive endorsements will be deposited and treated as a partial payment towards the civil money penalty that the Commission assesses upon making a final determination. All unpaid civil money penalty amounts remaining will be subject to the debt collection procedures set forth in Section 2, above.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 52 U.S.C. § 30109(a)(2). Unless you notify the FEC in writing that you wish the matter to be made public, it will remain confidential in accordance with 52 U.S.C. § 30109(a)(4)(B) and 30109(a)(12)(A) until it is placed on the public record at the conclusion of this matter in accordance with 11 CFR § 111.42.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <https://www.fec.gov/af/pay.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact Ben Holly in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll free number (800) 424-9530 (press 0, then ext. 1158) or (202) 694-1158.

On behalf of the Commission,

Ellen L. Weintraub

Ellen L. Weintraub
Chair

ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at RTB is \$278 for the 2018 Year-End Report.

You may remit payment by ACH withdrawal from your bank account, or by debit or credit card through Pay.gov, the federal government's secure portal for online collections. Visit www.fec.gov/af/pay.shtml to be directed to Pay.gov's Administrative Fine Program Payment form.

This penalty may also be paid by check or money order, made payable to the Federal Election Commission. It should be sent by mail to:

Federal Election Commission
P.O. Box 979058
St. Louis, MO 63197-9000

If you choose to send your payment by courier or overnight delivery, please send to:

U.S. Bank - Government Lockbox
FEC #979058
1005 Convention Plaza
Attn: Government Lockbox, SL-MO-C2GL
St. Louis, MO 63101

PAYMENTS BY PERSONAL CHECK

Personal checks will be converted into electronic funds transfers (EFTS). Your account will be electronically debited for the amount on your check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: Transystems Corporation PAC

FEC ID#: C00433672

AF#: 3718

PAYMENT DUE DATE: May 15, 2019

PAYMENT AMOUNT DUE: \$278

RECEIVED
FEC MAIL CENTER

2019 MAY -6 PM 4: 58

2400 Pershing Road
Suite 400
Kansas City, MO 64108
Tel 816-329-8700
Fax 816-329-8701

www.transystems.com

Federal Election Commission
Office of Administrative Review
1050 First Street, NE
Washington, DC 20002

April 23, 2019

To whom it may concern,

I am writing on behalf of the TranSystems Corporation PAC, PAC #C00433672 and am referencing AF#3718 from your April 8, 2019 letter. AF#3718 is assessing a \$278 penalty for the late filing of the December 31, 2018 TranSystems Corporation PAC report. I respectfully request that the Office of Administrative Review consider the following background factual information and waive the \$278 penalty.

1. TranSystems Corporation completed the FEC Form 3X December 31, 2018 filing and the Treasurer (Paul Malir) signed the filing on January 8, 2019.
2. The FEC Form 3X document was sent via certified mail on January 9, 2019, to the following address:

Federal Election Commission
999 E Street, NW
Washington, DC 20463

(NOTE: We have been sending our PAC filings to this address for over 8 years at least and had not received any notification of an address change for our PAC filings.)

3. I received the certified mail return receipt showing that the FEC Form 3X December 31, 2018 filing had been received by the FEC Mail Center on January 28, 2019. (See attached copy)
4. I received a letter from the FEC dated February 19, 2019 stated that we had failed to file our FEC Form 3X December 31, 2018 filing.
5. At that time, I contacted Ben Holly and told him what had happened as described in 1 – 4 above and resent the FEC Form 3X December 31, 2018 filing via certified mail on February 22, 2019 to the following address:

Federal Election Commission
1050 First Street, NE
Washington, DC 20463

It is worth noting that the TranSystems Corporation PAC has not been late with any required filings in the past. This further supports the unfortunate mix up described above where the report was completed and submitted with the required deadline, but due to a change of address for the FEC was not delivered to the correct location.

Please contact me with any questions or if you would like any additional information to waive the \$278 penalty that has been assessed.

TranSystems

I look forward to hearing from you soon.

Respectfully,

Julie Frigon

Julie Frigon, CFO
TranSystems Corporation

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UNITED STATES POSTAL SERVICE

11/25/79



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

RECEIVED

FEB 13 2 39 PM '99

Trans Systems

Attn: Julie Frigon
TranSystems Corporation
2400 Pershing Road, Ste. 400
Kansas City, MO 64108



<p>SENDER: COMPLETE THIS SECTION</p> <p>1. Complete letters 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>2. Print your name and address on the reverse so that we can return the card to you.</p> <p>3. Attach this card to the back of the mail piece, or on the front if space permits.</p>	<p>COMPLETE THIS SECTION ON DELIVERY</p> <p>A. Served by _____</p> <p>X. _____ <input type="checkbox"/> A.D. <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) _____ C. Date Delivered _____</p> <p>D. Did delivery address change since March 17? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No YES, give new address _____</p>
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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 3, 2019

**REVIEWING OFFICER RECOMMENDATION
OFFICE OF ADMINISTRATIVE REVIEW ("OAR")**

AF# 3718 – TranSystems Corporation PAC and Paul J. Malir, in his official capacity as Treasurer (C00433672)

Summary of Recommendation

Make a final determination that the respondents violated 52 U.S.C. § 30104(a) and assess a \$278 civil money penalty.

Reason-to-Believe Background

The 2018 Year-End Report was due on January 31, 2019. The Commission received the report on February 22, 2019, 22 days late. The report is not election sensitive and was filed within 30 days of the due date; therefore, the report is considered late. 11 C.F.R. §§ 111.43(d)(1) and (e)(1).

On April 5, 2019, the Commission found reason to believe ("RTB") that the respondents violated 52 U.S.C. § 30104(a) for failing to timely file the 2018 Year-End Report and made a preliminary determination that the civil money penalty was \$278 based on the schedule of penalties at 11 C.F.R. § 111.43. A letter was mailed to the respondents' address of record from the Reports Analysis Division ("RAD") on April 8, 2019 to notify them of the Commission's RTB finding and civil money penalty.

Legal Requirements

The Federal Election Campaign Act ("Act") states that the treasurer of a political committee not authorized by a candidate which is filing on a quarterly basis shall file a report for the final calendar quarter of the year by January 31 of the following calendar year. 52 U.S.C. § 30104(a)(4)(A)(i) and 11 C.F.R. § 104.5(c)(1)(i). Reports sent by first class mail must be received by the close of business on the filing date to be timely filed. If the report is sent by registered or certified mail, by Express or Priority Mail with delivery confirmation or by overnight delivery service with an online tracking system, and scheduled for next business day delivery, it must be postmarked, or deposited with the mailing service, no later than the filing date to be timely filed. 52 U.S.C. § 30104(a)(5), and 11 C.F.R. §§ 100.19 and 104.5(e). The Committee should retain proof of mailing or other means of transmittal of the report to the Commission. 11 C.F.R. § 104.5(i). The treasurer shall be personally responsible for the timely filing of reports. 11 C.F.R. § 104.14(d).

Summary of Respondents' Challenge

On May 6, 2019, the Commission received the written response ("challenge") from the respondents requesting that the Commission waive the penalty. They state that the Committee mailed the 2018 Year-End Report via USPS certified mail on January 9, 2019. They explain they were never notified of the Commission's change of address; therefore, the report was mailed to the Commission's old address at 999 E Street. The Committee later received the certified mail receipt indicating the report was received at the Commission on January 28, 2019. After receiving a letter from the Commission on February 19, 2019 regarding the missing report, the Committee contacted RAD to explain the situation. At that time, the Committee also sent in a copy of the report to the Commission's current address.

The respondents conclude by noting the Committee has timely filed all other required reports and state: "This further supports the unfortunate mix up described above where the report was completed and submitted with the required deadline, but due to a change of address for the FEC was not delivered to the correct location."

Analysis

According to Commission records, the USPS certified mail receipt provided with the challenge is associated with the Committee's 2018 Pre-General Report, not the 2018 Year-End Report which is the subject of this matter.¹ The Reviewing Officer contacted the Committee to request the certified mail receipt or any other tracking information to support the Committee's contention that it timely submitted the 2018 Year-End Report. 11 C.F.R. § 111.36(b). The Committee was unable to locate the certified mail receipt and attributed the lack of documentation to the organization's office remodel and departure of the administrative assistant responsible for the mailing. The Committee was only able to provide hand-written instructions given to the administrative assistant, which it contends was for mailing the 2018 Year-End Report. See Attachment 2, p. 4.

The respondents explain that they mailed the report to the Commission's old address since they were never notified of the Commission's address change. According to the Commission's Information Division, on March 14, 2018, an email regarding the Commission's address change was sent to pacinfo@transystems.com, the email address listed on the Committee's Statement of Organization. In addition to that notice, the Commission published two Tips for Treasurers, and updated the address in all instances on reporting forms and the Commission's website. Therefore, the Committee should have been aware of the address change.

The Reviewing Officer requested supplemental information from Commission management regarding the ordinary process for mail sent to the Commission's old address. According to the Commission's Deputy Staff Director of Management & Administration, mail that is sent to the Commission's old address is forwarded to the Commission at its current address. The Reviewing Officer notes that the Committee's other recent filings, including the 2018 Pre-

¹ See Attachment 6, p. 8. The 2018 Pre-General Report was post-marked December 26, 2018. Due to the partial government shutdown of December 22, 2018 through January 25, 2019, delivery was delayed until the Commission resumed operations on January 28, 2019. Because the report was sent by certified mail, it is considered filed on the date of the post-mark. 11 C.F.R. § 104.5(i)

General Report mentioned above, were originally mailed to the Commission's old address but successfully delivered to the Commission at its current address. Therefore, the Committee's use of the Commission's old address when mailing the 2018 Year-End Report should not have impacted ultimate delivery.

The Reviewing Officer also notes that the Committee contends it mailed the report on January 9, 2019, during the partial government shutdown of December 22, 2018 through January 25, 2019. According to the Commission's Deputy Staff Director of Management & Administration, USPS mail that was received during this period was held at the USPS Distribution Center until Commission operations resumed on January 28, 2019. The Reviewing Officer notes that the Committee's 2018 Pre-General Report mentioned above was received at the USPS Distribution Center during this time and delivered to the Commission when operations resumed on January 28, 2019. Therefore, one can reasonably presume that the USPS Distribution Center would have also held the mailing containing the 2018 Year-End Report if received during the partial government shutdown.

The Reviewing Officer recognizes that the respondents' office remodel and staff transition may have made it difficult to locate the proof of mailing for the 2018 Year-End Report. However, the Commission's regulations clearly state that a committee should retain proof of mailing or other means of transmittal of the report to the Commission. 11 C.F.R. § 104.5(i). In addition, the respondents must detail the factual basis of their challenge and include supporting documentation. 11 C.F.R. § 111.35(e). Further, the Reviewing Officer may draw an adverse inference from the respondent's failure to submit supplemental information. 11 C.F.R. § 111.36(b).

The respondents' challenge fails to adequately address any of the three valid grounds at 11 C.F.R. § 111.35(b). These are: (i) the RTB finding is based on factual errors; and/or (ii) the improper calculation of the civil money penalty; and/or (iii) they used best efforts to file on time but were prevented from doing so by reasonably unforeseen circumstances that were beyond their control and they filed the report no later than 24 hours after the end of these circumstances. 11 C.F.R. § 104.14(d). Negligence and unavailability of committee staff are specifically included at 11 C.F.R. § 111.35(d) as examples of a circumstance that will not be considered reasonably unforeseen and beyond the respondents' control. A committee's compliance with other filing deadlines is also not considered. Therefore, the Reviewing Officer recommends that the Commission make a final determination that the respondents violated 52 U.S.C. § 30104(a) and assess a \$278 civil money penalty.

OAR Recommendations

1. Adopt the Reviewing Officer recommendation for AF# 3718 involving TranSystems Corporation PAC and Paul J. Malir, in his official capacity as Treasurer, in making the final determination;
2. Make a final determination in AF# 3718 that TranSystems Corporation PAC and Paul J. Malir, in his official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess a \$278 civil money penalty; and
3. Send the appropriate letter.

1000240N

- 4

DECLARATION OF KRISTIN D. ROSER

1. I am the Chief of the Compliance Branch for the Reports Analysis Division of the Federal Election Commission ("Commission"). In my capacity as Chief of the Compliance Branch, I oversee the initial processing of the Administrative Fine Program. I make this declaration based on my personal knowledge and, if called upon as a witness, could and would testify competently to the following matters.
2. It is the practice of the Reports Analysis Division to document all calls to or from committees regarding a letter they receive or any questions relating to the FECFile software or administrative fine regulations, including due dates of reports and filing requirements.
3. I hereby certify that documents identified herein are true and accurate copies of the following sent by the Commission to TranSystems Corporation PAC:
 - A) Non-Filer Letter, dated February 19, 2019, referencing the 2018 Year-End Report (sent via electronic mail to: pacinfo@transystems.com);
 - B) Reason-to-Believe Letter, dated April 8, 2019, referencing the 2018 Year-End Report (sent via overnight mail to the address of record).
4. I hereby certify that I have searched the Commission's public records and find that TranSystems Corporation PAC filed a 2018 Year-End Report with the Commission on February 22, 2019.
5. Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct and that all relevant telecoms for the matter have been provided. This declaration was executed at Washington, D.C. on the 29th day of May, 2019.

Ben Holly for KDR
Kristin D. Roser
Chief, Compliance Branch
Reports Analysis Division
Federal Election Commission

16002724494



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-7

February 19, 2019

PAUL J MALIR, TREASURER
TRANSYSTEMS CORPORATION PAC
2400 PERSHING SUITE 400
KANSAS CITY, MO 64108

IDENTIFICATION NUMBER: C00433672

REFERENCE: YEAR-END REPORT (11/27/2018 - 12/31/2018)

Dear Treasurer:

It has come to the attention of the Federal Election Commission that you may have failed to file the above referenced report of receipts and disbursements or failed to file a report covering the entire reporting period as required by the Federal Election Campaign Act, as amended. 52 U.S.C. §30104(a)

It is important that you file this report immediately with the Federal Election Commission, 1050 First Street, NE, Washington, DC 20002. Please note that electronic filers must submit their reports electronically, as per 11 CFR §104.18. A copy of the report or relevant portions must also be filed with the Secretary of State or equivalent State officer unless the State is exempt from the federal requirement to receive and maintain paper copies. You can verify the Commission's receipt of any documents submitted by your committee on the FEC website at www.fec.gov.

The failure to timely file a complete report may result in civil money penalties, an audit or legal enforcement action. The civil money penalty calculation for late reports does not include a grace period and begins on the day following the due date for the report. Due to heightened security screening measures, delivery of mail by the US Postal Service may be delayed. The Commission recommends that you submit your report via overnight delivery or courier service.

If you have any questions regarding this matter, please contact Ben Holly in the Reports Analysis Division on our toll-free number (800)424-9530. The analyst's direct number is (202)694-1129.

1600027244615

DECLARATION OF RHIANNON MAGRUDER

- 1) I am the Reviewing Officer in the Office of Administrative Review for the Federal Election Commission ("Commission"). In my capacity as Reviewing Officer, I conduct research with respect to all challenges submitted in accordance with the Administrative Fine program.
- 2) A committee not authorized by a candidate shall file a quarterly report covering the final quarter of the calendar year no later than January 31 of the following calendar year. If the report is sent by registered or certified mail, by Express or Priority Mail with delivery confirmation or by overnight delivery service with an online tracking system, and scheduled for next business day delivery, it must be postmarked, or deposited with the mailing service, no later than January 31, 2019 to be timely filed.
- 3) I hereby certify that I have searched the Commission's public records and that the documents identified herein are the true and accurate copies of:
 - a) Cover Page, Summary Page, and Detailed Summary Pages of the 2018 Pre-General Report filed by TranSystems Corporation PAC and Paul J. Malir, in his official capacity as Treasurer. The package was processed on January 28, 2019 and considered received on December 26, 2018.
 - b) Envelope and Envelope Replacement Page for the package containing the 2018 Pre-General Report filed by TranSystems Corporation PAC and Paul J. Malir, in his official capacity as Treasurer. The package was processed on January 28, 2019 and considered received on December 26, 2018.
 - c) Cover Page, Summary Page, Detailed Summary Pages of the 2018 Year-End Report filed by TranSystems Corporation PAC and Paul J. Malir, in his official capacity as Treasurer. The package was processed on February 26, 2019 and considered received on February 22, 2019.
 - d) Supplemental tracking documents included with the 2018 Year-End Report filed by TranSystems Corporation PAC and Paul J. Malir, in his official capacity as Treasurer. The package was processed on February 26, 2019 and considered received on February 22, 2019.
 - e) Envelope and Envelope Replacement Page for the package containing the 2018 Year-End Report filed by TranSystems Corporation PAC and Paul J. Malir, in his official capacity as Treasurer. The package was processed on February 26, 2019 and considered received on February 22, 2019.

- 4) Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Washington, D.C. on the 3rd day of July, 2019.

Rhiannon Magruder
Rhiannon Magruder
Reviewing Officer
Office of Administrative Review
Federal Election Commission

8804427200001

**FEC
FORM 3X**

**REPORT OF RECEIPTS
AND DISBURSEMENTS**
For Other Than An Authorized Committee

RECEIVED
FEC MAIL CENTER

2019 JAN 28 PM 12:51

Office Use Only

1. NAME OF
COMMITTEE (in full)

TYPE OR PRINT ▼

Example: If typing, type
over the lines.

12FE4M5

TRANSISTERS CORPORATION PAC

ADDRESS (number and street)

2400 Pershing

Suite 400

KANSAS CITY

MO 64108



Check if different
than previously
reported. (ACC)

2. FEC IDENTIFICATION NUMBER ▼

CITY ▲

STATE ▲

ZIP CODE ▲

C00433672

3. IS THIS
REPORT



NEW
(N)

OR



AMENDED
(A)

4. TYPE OF REPORT
(Choose One)

(a) Quarterly Reports:



April 15
Quarterly Report (Q1)



July 15
Quarterly Report (Q2)



October 15
Quarterly Report (Q3)



January 31
Year-End Report (YE)



July 31 Mid-Year
Report (Non-election
Year Only) (MY)



Termination Report
(TER)

(b) Monthly
Report
Due On:



Feb 20 (M2)



May 20 (M5)



Aug 20 (M8)



Nov 20 (M11)
(Non-Election
Year Only)



Mar 20 (M3)



Jun 20 (M6)



Sep 20 (M9)



Dec 20 (M12)
(Non-Election
Year Only)



Apr 20 (M4)



Jul 20 (M7)



Oct 20 (M10)



Jan 31 (YE)

(c)

12-Day



Primary (12P)



General (12G)



Runoff (12R)

PRE-Election

Report for the:



Convention (12C)



Special (12S)

Election on

MM / DD / YYYY

MM / DD / YYYY

MM / DD / YYYY

in the
State of

State

(d)

30-Day



General (30G)



Runoff (30R)



Special (30S)

POST-Election

Report for the:



Convention (12C)



Special (12S)

Election on

MM / DD / YYYY

MM / DD / YYYY

MM / DD / YYYY

in the
State of

State

5. Covering Period

MM / DD / YYYY

MM / DD / YYYY

MM / DD / YYYY

through

MM / DD / YYYY

MM / DD / YYYY

MM / DD / YYYY

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer

Paul J. Mahir

Signature of Treasurer

Paul J. Mahir

Date

12

21

2018

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 52 U.S.C. § 30109.

Office
Use
Only

FEC FORM 3X
Rev. 05/2016

109027224500

DETAILED SUMMARY PAGE
of Receipts

FEC Form 3X (Rev. 05/2016)

Page 3

Write or Type Committee Name

TRANSYSTEMS CORPORATION PAC

Report Covering the Period:

From:

10/01/2018

To:

10/17/2018

I. Receipts

COLUMN A
Total This Period

COLUMN B
Calendar Year-to-Date

11. Contributions (other than loans) From:

(a) Individuals/Persons Other
Than Political Committees

(i) Itemized (use Schedule A).....

0.00

36,407.53

(ii) Unitemized.....

0.00

0.00

(iii) TOTAL (add
Lines 11(a)(i) and (ii)).....▶

0.00

36,407.53

(b) Political Party Committees.....

0.00

0.00

(c) Other Political Committees
(such as PACs).....

0.00

0.00

(d) Total Contributions (add Lines
11(a)(iii), (b), and (c)) (Carry
Totals to Line 33, page 5).....▶

0.00

36,407.53

12. Transfers From Affiliated/Other
Party Committees.....

0.00

0.00

13. All Loans Received.....

0.00

0.00

14. Loan Repayments Received.....

0.00

0.00

15. Offsets To Operating Expenditures
(Refunds, Rebates, etc.)
(Carry Totals to Line 37, page 5).....

0.00

0.00

16. Refunds of Contributions Made
to Federal Candidates and Other
Political Committees.....

0.00

0.00

17. Other Federal Receipts
(Dividends, Interest, etc.).....

0.00

0.00

18. Transfers from Non-Federal and Levin Funds

(a) Non-Federal Account
(from Schedule H3).....

0.00

0.00

(b) Levin Funds (from Schedule H5).....

0.00

0.00

(c) Total Transfers (add 18(a) and 18(b))..

0.00

0.00

19. Total Receipts (add Lines 11(d),
12, 13, 14, 15, 16, 17, and 18(c)).....▶

0.00

36,407.53

20. Total Federal Receipts
(subtract Line 18(c) from Line 19).....▶

0.00

36,407.53

NOT FOR FILING WITH THE COMMISSION

FEC Form 3X (Rev. 05/2016)

Page 4

II. Disbursements		COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
21. Operating Expenditures:			
(a) Allocated Federal/Non-Federal Activity (from Schedule H4)			
(i) Federal Share	0.00	0.00	
(ii) Non-Federal Share.....	0.00	0.00	
(b) Other Federal Operating Expenditures	0.00	0.00	
(c) Total Operating Expenditures (add 21(a)(i), (a)(ii), and (b)).....	0.00	0.00	
22. Transfers to Affiliated/Other Party Committees.....	0.00	0.00	
23. Contributions to Federal Candidates/Committees and Other Political Committees.....	0.00	0.00	
24. Independent Expenditures (use Schedule E).....	0.00	0.00	
25. Coordinated Party Expenditures (52 U.S.C. § 30116(d)) (use Schedule F).....	0.00	0.00	
26. Loan Repayments Made.....	0.00	0.00	
27. Loans Made.....	0.00	0.00	
28. Refunds of Contributions To:			
(a) Individuals/Persons Other Than Political Committees	0.00	0.00	
(b) Political Party Committees	0.00	0.00	
(c) Other Political Committees (such as PACs).....	0.00	0.00	
(d) Total Contribution Refunds (add Lines 28(a), (b), and (c)).....	0.00	0.00	
29. Other Disbursements (Including Non-Federal Donations).....	0.00	36,950.00	
30. Federal Election Activity (52 U.S.C. § 30101(20))			
(a) Allocated Federal Election Activity (from Schedule H6)			
(i) Federal Share	0.00	0.00	
(ii) "Levin" Share.....	0.00	0.00	
(b) Federal Election Activity Paid Entirely With Federal Funds	0.00	0.00	
(c) Total Federal Election Activity (add Lines 30(a)(i), 30(a)(ii) and 30(b)).....	0.00	0.00	
31. Total Disbursements (add Lines 21(c), 22, 23, 24, 25, 26, 27, 28(d), 29 and 30(c))..	0.00	36,950.00	
32. Total Federal Disbursements (subtract Line 21(a)(ii) and Line 30(a)(ii) from Line 31).....	0.00	36,950.00	

FEC Form 3X (Rev. 05/2016)

Page 5

III. Net Contributions/ Operating Expenditures	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
33. Total Contributions (other than loans) (from Line 11(d), page 3)	0.00	30,407.53
34. Total Contribution Refunds (from Line 28(d))	0.00	0.00
35. Net Contributions (other than loans) (subtract Line 34 from Line 33)	0.00	30,407.53
36. Total Federal Operating Expenditures (add Line 21(a)(i) and Line 21(b))	0.00	0.00
37. Offsets to Operating Expenditures (from Line 15, page 3)	0.00	0.00
38. Net Operating Expenditures (subtract Line 37 from Line 36)	0.00	0.00

100992724504

systems

2400 Pershing Road
Suite 400
Kansas City, MO 64108

CERTIFIED MAIL

Attachment 8
8 of 18



7014 0150 0001 2604 3701

NEOPOST
12/28/2018
US POSTAGE \$004.13⁰



ZIP 64108
041M11280800

Federal Election Commission
999 E. Street, NW
Washington, DC 20463

RECEIVED
MAIL CENTER

2019 JAN 28 PM 12:51

2019 JAN 28 PM 12:51

Federal Election Commission ENVELOPE REPLACEMENT PAGE FOR INCOMING DOCUMENTS The FEC added this page to the end of this filing to indicate how it was received.	
<input type="checkbox"/> Hand Delivered	Date of Receipt
<input type="checkbox"/> USPS First Class Mail	Postmarked Date of Receipt
<input checked="" type="checkbox"/> USPS Registered/Certified	Postmarked (R/C) 12/26/18
<input type="checkbox"/> USPS Priority Mail	Postmarked
<input type="checkbox"/> USPS Priority Mail Express	Postmarked
<input type="checkbox"/> Postmark Illegible	
<input type="checkbox"/> No Postmark	
<input type="checkbox"/> Overnight Delivery Service (Specify):	Shipping Date
	Next Business Day Delivery <input type="checkbox"/>
<input type="checkbox"/> Received from House Records & Registration Office	Date of Receipt
<input type="checkbox"/> Received from Senate Public Records Office	Date of Receipt
<input type="checkbox"/> Received from Electronic Filing Office	Date of Receipt
<input type="checkbox"/> Other (Specify):	Date of Receipt or Postmarked
<div style="display: flex; justify-content: space-between;"> <div style="width: 40%;"> PREPARER (3/2015) </div> <div style="width: 40%; text-align: right;"> 1/28/19 DATE PREPARED </div> </div>	

1-800-424-9547

FEC FORM 700, 2015 RELEASE

FEC
FORM 3XREPORT OF RECEIPTS
AND DISBURSEMENTS
For Other Than An Authorized CommitteeRECEIVED
FEC MAIL CENTER
2019 FEB 26 AM 11:45

Office Use Only

1. NAME OF
COMMITTEE (in full)

TYPE OR PRINT ▼

Example: If typing, type
over the lines.

12FE4M5

TRANSYSTEMS CORPORATION PAC

ADDRESS (number and street)

2400 Pershing

Check if different
than previously
reported. (ACC)

Suite 400

Kansas City

MO

641081

2. FEC IDENTIFICATION NUMBER ▼

CITY ▲

STATE ▲

ZIP CODE ▲

000433672

3. IS THIS
REPORTNEW
(N)

OR

AMENDED
(A)4. TYPE OF REPORT
(Choose One)

(a) Quarterly Reports:

April 15
Quarterly Report (Q1)July 15
Quarterly Report (Q2)October 15
Quarterly Report (Q3)January 31
Year-End Report (YE)July 31 Mid-Year
Report (Non-election
Year Only) (MY)Termination Report
(TER)(b) Monthly
Report
Due On:

Feb 20 (M2)



May 20 (M5)



Aug 20 (M8)

Nov 20 (M11)
(Non-Election
Year Only)

Mar 20 (M3)



Jun 20 (M6)



Sep 20 (M9)

Dec 20 (M12)
(Non-Election
Year Only)

Apr 20 (M4)



Jul 20 (M7)



Oct 20 (M10)



Jan 31 (YE)

(c) 12-Day
PRE-Election
Report for the:

Primary (12P)



General (12G)



Runoff (12R)



Convention (12C)



Special (12S)

Election on

MM / DD / YYYY

MM / DD / YYYY

MM / DD / YYYY

in the
State of

MM / DD / YYYY

(d) 30-Day
POST-Election
Report for the:

General (30G)



Runoff (30R)



Special (30S)

Election on

MM / DD / YYYY

MM / DD / YYYY

MM / DD / YYYY

in the
State of

MM / DD / YYYY

5. Covering Period

11 / 27 / 2018

through

12 / 31 / 2018

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer

Paul J. Malir

Signature of Treasurer

P. J. Malir

Date

MM / DD / YYYY

MM / DD / YYYY

MM / DD / YYYY

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 52 U.S.C. § 30109.

Office
Use
OnlyFEC FORM 3X
Rev. 05/2018

SUMMARY PAGE OF RECEIPTS AND DISBURSEMENTS

FEC Form 3X (Rev. 05/2016)

Page 2

Write or Type Committee Name

TRANSYSTEMS CORPORATION PAC

Report Covering the Period:

From:

11 ' 27 ' 2018

To:

12 31 2018

COLUMN A
This Period

COLUMN B
Calendar Year-to-Date

- | | | |
|---|-----------|-----------|
| 6. (a) Cash on Hand at
January 1, | 2018 | 49,863.29 |
| (b) Cash on Hand at
Beginning of Reporting Period..... | 49,320.82 | |
| (c) Total Receipts (from Line 19)..... | 11,591.44 | 47,998.97 |
| (d) Subtotal (add Lines 6(b) and
6(c) for Column A and Lines
6(a) and 6(c) for Column B)..... | 60,912.26 | 97,862.26 |
| 7. Total Disbursements (from Line 31)..... | 1,000.00 | 37,950.00 |
| 8. Cash on Hand at Close of
Reporting Period
(subtract Line 7 from Line 6(d)) | 59,912.26 | 59,912.26 |
| 9. Debts and Obligations Owed TO
the Committee (itemize all on
Schedule C and/or Schedule D) | 0.00 | |
| 10. Debts and Obligations Owed BY
the Committee (itemize all on
Schedule C and/or Schedule D) | 0.00 | |

☐ This committee has qualified as a multicandidate committee. (see FEC FORM 1M)

For further information contact:

Federal Election Commission
999 E Street, NW
Washington, DC 20463

Toll Free 800-424-9530
Local 202-694-1100

DETAILED SUMMARY PAGE
of Receipts

FEC Form 3X (Rev. 05/2016)

Page 3

Write or Type Committee Name

TRANSYSTEMS CORPORATION PAC

Report Covering the Period:

From:

11/27/2018

To:

12/31/2018

I. Receipts

COLUMN A
Total This PeriodCOLUMN B
Calendar Year-to-Date

11. Contributions (other than loans) From:

- (a) Individuals/Persons Other
-
- Than Political Committees

(i) Itemized (use Schedule A).....

(ii) Unitemized.....

(iii) TOTAL (add

Lines 11(a)(i) and (ii).....▶

(b) Political Party Committees.....

(c) Other Political Committees

(such as PACs).....

(d) Total Contributions (add Lines

11(a)(iii), (b), and (c)) (Carry

Totals to Line 33, page 5).....▶

12. Transfers From Affiliated/Other

Party Committees.....

13. All Loans Received.....

14. Loan Repayments Received.....

15. Offsets To Operating Expenditures

(Refunds, Rebates, etc.)

(Carry Totals to Line 37, page 5).....

16. Refunds of Contributions Made

to Federal Candidates and Other

Political Committees.....

17. Other Federal Receipts

(Dividends, Interest, etc.).....

18. Transfers from Non-Federal and Levin Funds

(a) Non-Federal Account

(from Schedule H3).....

(b) Levin Funds (from Schedule H5).....

(c) Total Transfers (add 18(a) and 18(b))..

19. Total Receipts (add Lines 11(d),

12, 13, 14, 15, 16, 17, and 18(c)).....▶

20. Total Federal Receipts

(subtract Line 18(c) from Line 19).....▶

11,591.44

0.00

11,591.44

0.00

0.00

0.00

11,591.44

0.00

0.00

0.00

0.00

0.00

0.00

0.00

0.00

0.00

0.00

0.00

11,591.44

11,591.44

47,998.97

0.00

47,998.97

0.00

0.00

0.00

47,998.97

0.00

0.00

0.00

0.00

0.00

0.00

0.00

0.00

0.00

0.00

0.00

47,998.97

47,998.97

DETAILED SUMMARY PAGE
of Disbursements

FEC Form 3X (Rev. 05/2016)

Page 4

II. Disbursements	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
21. Operating Expenditures:		
(a) Allocated Federal/Non-Federal Activity (from Schedule H4)		
(i) Federal Share	0.00	0.00
(ii) Non-Federal Share	0.00	0.00
(b) Other Federal Operating Expenditures	0.00	0.00
(c) Total Operating Expenditures (add 21(a)(i), (a)(ii), and (b))	0.00	0.00
22. Transfers to Affiliated/Other Party Committees	0.00	0.00
23. Contributions to Federal Candidates/Committees and Other Political Committees	0.00	0.00
24. Independent Expenditures (use Schedule E)	0.00	0.00
25. Coordinated Party Expenditures (52 U.S.C. § 30116(d)) (use Schedule F)	0.00	0.00
26. Loan Repayments Made	0.00	0.00
27. Loans Made	0.00	0.00
28. Refunds of Contributions To:		
(a) Individuals/Persons Other Than Political Committees	0.00	0.00
(b) Political Party Committees	0.00	0.00
(c) Other Political Committees (such as PACs)	0.00	0.00
(d) Total Contribution Refunds (add Lines 28(a), (b), and (c))	0.00	0.00
29. Other Disbursements (Including Non-Federal Donations)	1,000.00	37,950.00
30. Federal Election Activity (52 U.S.C. § 30101(20))		
(a) Allocated Federal Election Activity (from Schedule H6)		
(i) Federal Share	0.00	0.00
(ii) "Levin" Share	0.00	0.00
(b) Federal Election Activity Paid Entirely With Federal Funds	0.00	0.00
(c) Total Federal Election Activity (add Lines 30(a)(i), 30(a)(ii) and 30(b))	0.00	0.00
31. Total Disbursements (add Lines 21(c), 22, 23, 24, 25, 26, 27, 28(d), 29 and 30(c)) ..	1,000.00	37,950.00
32. Total Federal Disbursements (subtract Line 21(a)(ii) and Line 30(a)(ii) from Line 31)	1,000.00	37,950.00

DETAILED SUMMARY PAGE
of Disbursements

FEC Form 3X (Rev. 05/2016)

Page 5

III. Net Contributions/ Operating Expenditures	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
33. Total Contributions (other than loans) (from Line 11(d), page 3)	11,591.44	47,998.97
34. Total Contribution Refunds (from Line 28(d))	0.00	0.00
35. Net Contributions (other than loans) (subtract Line 34 from Line 33)	11,591.44	47,998.97
36. Total Federal Operating Expenditures (add Line 21(a)(i) and Line 21(b))	0.00	0.00
37. Offsets to Operating Expenditures (from Line 15, page 3)	0.00	0.00
38. Net Operating Expenditures (subtract Line 37 from Line 36)	0.00	0.00

[illegible]

<p>SENDER: COMPLETE THIS SECTION</p> <p>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p> <p>1. Article Addressed to:</p> <div style="border: 1px solid black; padding: 10px; text-align: center; margin: 10px 0;"> <p>Federal Election Commission 999 E. Street, NW Washington, DC 20463</p> </div> <p>2. Article Number <i>(Transfer from service label)</i></p>	<p>COMPLETE THIS SECTION ON DELIVERY</p> <p>A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>X</p> <p>B. Received by (Printed Name) Date of Delivery</p> <p style="text-align: center; font-weight: bold; font-size: 1.2em;">RECEIVED FEC MAIL CENTER</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p style="text-align: right; font-weight: bold; font-size: 1.2em;">JAN 28 11:13</p> <p>3. Service Type <input type="checkbox"/> Express Mail</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> C.O.D.</p> <p><input type="checkbox"/> Insured Mail</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>7014 0150 0001 2604 3901</p>	

RECEIVED : 1967 NOV 15 10 00 AM
FBI - NEW YORK

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

UNITED STATES POSTAL SERVICE

• Sender: Please print your name, address, and ZIP+4 in this box •

Attn: Julie Frigon
TranSystems Corporation
2400 Pershing Road, Ste. 400
Kansas City, MO 64108

RECEIVED
FEB 13 2 59
TransSystems
A
Trans
2400

[Musical notation]

[illegible]

Attachment 6
17 of 18

RECEIVED
FEC MAIL CENTER
2010 SEP 09 11:11:43

**FEDERAL ELECTION COMMISSION
1050 FIRST STREET, NE
WASHINGTON, DC 200002**

**Suite 400
Kansas City, MO 64108**

7074 0150 0000 4702 646E 4092 2604 3949

NEOPOST
FIRST-CLASS MAIL

02/22/2019

02/22/2019 \$004.00%
US POSTAGE



• ZIP 64108
041M11280800

Federal Election Commission
ENVELOPE REPLACEMENT PAGE FOR INCOMING DOCUMENTS
The FEC added this page to the end of this filing to indicate how it was received.

<input type="checkbox"/> Hand Delivered	Date of Receipt
<input type="checkbox"/> USPS First Class Mail	Postmarked Date of Receipt
<input checked="" type="checkbox"/> USPS Registered/Certified	Postmarked (R/C) 2/22/19
<input type="checkbox"/> USPS Priority Mail	Postmarked
<input type="checkbox"/> USPS Priority Mail Express	Postmarked
<input type="checkbox"/> Postmark Illegible	
<input type="checkbox"/> No Postmark	
<input type="checkbox"/> Overnight Delivery Service (Specify):	Shipping Date
	Next Business Day Delivery <input type="checkbox"/>
<input type="checkbox"/> Received from House Records & Registration Office	Date of Receipt
<input type="checkbox"/> Received from Senate Public Records Office	Date of Receipt
<input type="checkbox"/> Received from Electronic Filing Office	Date of Receipt
<input type="checkbox"/> Other (Specify):	Date of Receipt or Postmarked
PREPARER <i>MP</i>	2/26/19 DATE PREPARED

PREPARER
(3/2015)

2/26/19
DATE PREPARED



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 3, 2019

Paul J. Malir, in official capacity as Treasurer
TranSystems Corporation PAC
2400 Pershing Road, Suite 400
Kansas City, MO 64108

C00433672
AF#: 3718

Dear Mr. Malir:

On April 5, 2019, the Federal Election Commission ("Commission") found reason to believe ("RTB") that TranSystems Corporation PAC and you, in your official capacity as Treasurer ("respondents"), violated 52 U.S.C. § 30104(a) for failing to timely file the 2018 Year-End Report. The Commission also made a preliminary determination that the civil money penalty was \$278 based on the schedule of penalties at 11 C.F.R. § 111.43.

After reviewing your written response and any supplemental information submitted by you and Commission staff, the Reviewing Officer has recommended that the Commission make a final determination that the respondents violated 52 U.S.C. § 30104(a) and assess a \$278 civil money penalty. A copy of the Reviewing Officer's recommendation is attached.

You may file with the Commission Secretary a written response to the recommendation within 10 days of the date of this letter. Your written response should be sent to the Commission Secretary, 1050 First Street, NE, Washington, DC 20463 or via facsimile (202-208-3333). Please include the AF # in your response. Your response may not raise any arguments not raised in your original written response or not directly responsive to the Reviewing Officer's recommendation. 11 C.F.R. § 111.36(f). The Commission will then make a final determination in this matter.

Please contact me at the toll free number 800-424-9530 (press 0, then press 1660) or 202-694-1158 if you have any questions.

Sincerely,

Rhiannon Magruder

Rhiannon Magruder
Reviewing Officer
Office of Administrative Review

160802724515



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

2019 JUL 24 AM 9:02

SENSITIVE

July 24, 2019

MEMORANDUM

To: The Commission

Through: Alec Palmer *AP by MAIL*
Staff Director

From: Patricia C. Orrock *PCO*
Chief Compliance Officer

Rhiannon Magruder *RM*
Reviewing Officer
Office of Administrative Review

Subject: Final Determination Recommendation in AF# 3718 – TranSystems Corporation
PAC and Paul J. Malir, in his official capacity as Treasurer (C00433672)

On April 5, 2019, the Commission found reason to believe ("RTB") that the respondents violated 52 U.S.C. § 30104(a) for failing to timely file the 2018 Year-End Report and made a preliminary determination that the civil money penalty was \$278 based on the schedule of penalties at 11 C.F.R. § 111.43.

On May 6, 2019, the Commission received their written response ("challenge"). After reviewing the challenge, the Reviewing Officer Recommendation ("ROR") dated July 3, 2019 was forwarded to the Commission, a copy was forwarded to the respondents, and is hereby incorporated by reference. The Reviewing Officer recommended that the Commission make a final determination that the respondents violated 52 U.S.C. § 30104(a) and assess a \$278 civil money penalty.

Within 10 days of transmittal of the recommendation, the respondents may file a written response with the Commission Secretary which may not raise any arguments not raised in their challenge or not directly responsive to the ROR. 11 C.F.R. § 111.36(f). The respondents have indicated their intent to pay the recommended \$278 civil money penalty.

OAR Recommendations

1. Adopt the Reviewing Officer recommendation for AF# 3718 involving TranSystems Corporation PAC and Paul J. Malir, in his official capacity as Treasurer, in making the final determination;
2. Make a final determination in AF# 3718 that TranSystems Corporation PAC and Paul J. Malir, in his official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess a \$278 civil money penalty; and
3. Send the appropriate letter.

1000274517

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) AF 3718
Final Determination Recommendation:)
TranSystems Corporation PAC and Paul)
J. Malir, in his official capacity as)
Treasurer (C00433672))

CERTIFICATION

I, Laura E. Sinram, Acting Secretary and Clerk of the Federal Election Commission, do hereby certify that on August 05, 2019, the Commission decided by a vote of 4-0 to take the following actions in AF 3718:

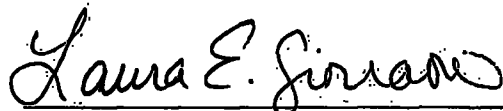
1. Adopt the Reviewing Officer recommendation for AF# 3718 involving TranSystems Corporation PAC and Paul J. Malir, in his official capacity as Treasurer, in making the final determination.
2. Make a final determination in AF# 3718 that TranSystems Corporation PAC and Paul J. Malir, in his official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess a \$278 civil money penalty.
3. Send the appropriate letter.

Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

8/6/19

Date



Laura E. Sinram
Acting Secretary and Clerk of the
Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 13, 2019

Paul J. Malir, in official capacity as Treasurer
TranSystems Corporation PAC
2400 Pershing Road, Suite 400
Kansas City, MO 64108

C00433672
AF#: 3718

Dear Mr. Malir:

On April 5, 2019, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that TranSystems Corporation PAC and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a) for failing to file the 2018 Year-End Report. By letter dated April 8, 2019, the Commission sent notification of the RTB finding that included a civil money penalty calculated at RTB of \$278 in accordance with the schedule of penalties at 11 C.F.R. § 111.43. On May 6, 2019, the Office of Administrative Review received your written response challenging the RTB finding.

The Reviewing Officer reviewed the Commission's RTB finding with its supporting documentation and your written response. Based on this review, the Reviewing Officer recommended that the Commission make a final determination that TranSystems Corporation PAC and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a), and assess a civil money penalty in the amount of \$278 in accordance with 11 C.F.R. § 111.43. The Reviewing Officer Recommendation was sent to you on July 3, 2019.

On August 5, 2019, the Commission adopted the Reviewing Officer's recommendation and made a final determination that TranSystems Corporation PAC and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assessed a civil money penalty in the amount of \$278. A copy of the Final Determination Recommendation is attached.

At this juncture, the following courses of action are available to you:

1. If You Choose to Appeal the Final Determination and/or Civil Money Penalty

If you choose to appeal the final determination, you should submit a written petition, within 30 days of receipt of this letter, to the U.S. District Court for the district in which the committee or you reside, or transact business, requesting that the final determination be modified or set aside. See 52 U.S.C. § 30109(a)(4)(C)(iii). Your failure to raise an argument in a timely fashion during

the administrative process shall be deemed a waiver of the respondents' right to present such argument in a petition to the district court under 52 U.S.C. § 30109. 11 CFR § 111.38.

2. If You Choose Not to Pay the Civil Money Penalty and Not to Appeal

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA") as amended by the Debt Collection Improvement Act of 1996 ("DCIA"), 31 U.S.C. § 3701 *et seq.* If you do not pay this debt within 30 days (or file a written petition to a federal district court - see below), the Commission will transfer the debt to the U.S. Department of the Treasury ("Treasury") for collection. Within 5 days of the transfer to Treasury, Treasury will contact you to request payment. Treasury currently charges a fee of 30% of the civil money penalty amount for its collection services. If the age of the debt is greater than or equal to two years old, Treasury will charge a fee of 32% of the civil money penalty amount for its collection services. The fee will be added to the amount of the civil money penalty that you owe. Should Treasury's attempts fail, Treasury will refer the debt to a private collection agency ("PCA"). If the debt remains unpaid, Treasury may recommend that the Commission refer the matter to the Department of Justice for litigation.

Actions which may be taken to enforce recovery of a delinquent debt by Treasury may also include: (1) offset of any payments, which the debtor is due, including tax refunds and salary; (2) referral of the debt to agency counsel for litigation; (3) reporting of the debt to a credit bureau; (4) administrative wage garnishment; and (5) reporting of the debt, if discharged, to the IRS as potential taxable income. In addition, under the provisions of DCIA and other statutes applicable to the FEC, the debtor may be subject to the assessment of other statutory interest, penalties, and administrative costs.

In accordance with the DCIA, at your request, the agency will offer you the opportunity to inspect and copy records relating to the debt, the opportunity for a review of the debt, and the opportunity to enter into a written repayment agreement.

3. If You Choose to Pay the Civil Money Penalty

If you should decide to pay the civil money penalty, follow the payment instructions on page 4 of this letter. You should make payment within thirty (30) days of receipt of this letter.

NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS

4. Partial Payments

If you make a payment in an amount less than the civil money penalty, the amount of your partial payment will be credited towards the full civil money penalty that the Commission assessed upon making a final determination.

5. Settlement Offers

Any offer to settle or compromise a debt owed to the Commission, including a payment in an amount less than the civil money penalty assessed or any restrictive endorsements contained on your check or money order or proposed in correspondence transmitted with your check or money order, will be rejected. Acceptance and deposit or cashing of such a restricted payment does not

constitute acceptance of the settlement offer. Payments containing restrictive endorsements will be deposited and treated as a partial payment towards the civil money penalty that the Commission assessed upon making a final determination. All unpaid civil money penalty amounts remaining will be subject to the debt collection procedures set forth in Section 2, above.

The confidentiality provisions at 52 U.S.C. § 30109(a)(12) no longer apply and this matter is now public. Pursuant to 11 C.F.R. §§ 111.42(b) and 111.20(c), the file will be placed on the public record within 30 days from the date of this notification.

If you have any questions regarding the payment of the civil money penalty, please contact Rhiannon Magruder on our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,

Ellen L. Weintraub

Ellen L. Weintraub
Chair

ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 C.F.R. § 111.43, the civil money penalty is \$278 for the 2018 Year-End Report.

You may remit payment by ACH withdrawal from your bank account, or by debit or credit card through Pay.gov, the federal government's secure portal for online collections. Visit www.fec.gov/af/pay.shtml to be directed to Pay.gov's Administrative Fine Program Payment form. This penalty may also be paid by check or money order made payable to the Federal Election Commission. It should be sent by mail to:

Federal Election Commission
PO Box 979058
St. Louis, MO 63197-9000

If you choose to send your payment by courier or overnight delivery, please send to:

U.S. Bank - Government Lockbox
FEC #979058
1005 Convention Plaza
Attn: Government Lockbox, SL-MO-C2GL
St. Louis, MO 63101

PAYMENTS BY PERSONAL CHECK

Personal checks will be converted into electronic funds transfers (EFTs). Your account will be electronically debited for the amount on the check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: TranSystems Corporation PAC

FEC ID#: C00433672

AF#: 3718

PAYMENT AMOUNT DUE: \$278

